

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ELLA JANE MCCRAY,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:06CV309-VPM
)	[WO]
CITY OF EUFAULA, et al.,)	
)	
Defendants.)	

ORDER ON MOTION

Upon consideration of the defendants' Motion For More Definite Statement and to Strike, filed on 10 April 2006 (Doc. # 1), and the plaintiff's response, filed on 21 April 2006 (Doc. # 6), and for good cause, it is

ORDERED that the motion for more definite statement be GRANTED, and the motion to strike be DENIED.

The plaintiff's complaint is unclear. For example, although she alleges in Count Two that Steve Hanners went to her home and "without a warrant and without probable cause" unlawfully imprisoned her, suggesting a constitutional claim under the Fourth Amendment, she further alleges that Hanners "negligently and/or wantonly" unlawfully imprisoned her as well. It is altogether unclear whether the plaintiff intended to state in Count Two a cause of action for (1) violation of the Fourth Amendment, (2) violation of the Fifth Amendment, (3) negligence, (4) wantonness, or all four. Griffin MUST identify her claims clearly.

Accordingly, on or before 5 May 2006, she shall file an Amended Complaint which

sets forth her allegations clearly, without duplication, with each count specifically and separately designated with a cause of action. In each separate cause of action, the plaintiff shall separate her state law claims from her federal claims and comply with the following instructions:

1. Each count shall be numbered and labeled in the title with the state law or federal claim;
2. Each count shall include the names of the individual(s) whom the plaintiff claims violated her federal statutory or constitutional rights, the actions which violated the rights, and the specific rights violated;
3. At the conclusion of the listing of counts, the complaint shall set forth the specific relief that the plaintiff seeks **against each defendant**, that is, the precise action that the plaintiff wishes for the court to take against each defendant in response to his complaint. The plaintiff shall set forth separately injunctive and monetary relief.

DONE this 26th day of April, 2006.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE

